IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 7TH AUGUST 2007 / 16TH SRAVANA 1929

MACA.No. 1358 of 2007()
{O.P.(MV)NO.23/1997 OF THE MOTOR ACCIDENT CLAIMS TRIBUNAL, PALAKKAD}
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APPELLANT/SUPPL. 5TH PETITIONER:

SHAHUL HAMEED, S/O LATE HAJIRA,
K.H.M.MANZIL, CHIKKANAMPARA,
KOLLENGODE, PALAKKAD DISTRICT.

BY ADVS. SRI.RAJESH SIVARAMANKUTTY
& SRI.FEROZE ARAKKAL

RESPONDENTS: RESPTS./PETR.NO.1 &
SUPPL.PETRS 4,6 TO 10 &R1 TO 8
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1. NASREEN BEGUM, AGED 26 YEARS,
W/O LATE MOHAMMED RAFI,
K.H.M.MANZIL, KOTTAMODU,
KOLLENGODE, PALAKKAD.

2. SHAKEELA BEGUM, AGED 43 YEARS,
D/O LATE HAJIRA,
K.H.M.MANZIL, CHIKKANAMPARA,
KOLLENGODE, PALAKKAD.

3. SAHIRA, AGED 40 YEARS,
D/O LATE HAJIRA,
K.H.M.MANZIL, CHIKKANAMPARA,
KOLLENGODE, PALAKKAD.

4. MOHAMMED HANEEFA, AGED 39 YEARS,
S/O LATE HAJIRA,
K.H.M.MANZIL, CHIKKANAMPARA,
KOLLENGODE, PALAKKAD.

5. SUBJITH BEGUM, AGED 37 YEARS,
D/O LATE HAJIRA,
K.H.M.MANZIL, CHIKKANAMPARA,
KOLLENGODE, PALAKKAD.

6. HABEEB RAHMAN, AGED 35 YEARS,
S/O LATE HAJIRA,
K.H.M.MANZIL, CHIKKANAMPARA,
KOLLENGODE, PALAKKAD.

7. JAMEELA, W/O LATE SYED YOUSOPH,
AGED 49 YEAR, K.H.M.MANZIL,
CHIKKANAMPARA, KOLLENGODE, PALAKKAD.

8. BOBBY C.JOSE, S/O JOSE C.CHACKO,
AGED 23 YEARS, CHIRAKKEKKARAN HOUSE,
OPP. BISHOPS PALACE, TRICHUR-5.

9. UNITED INDIA INSURANCE CO. LTD.,
BRANCH OFFICE, PRESIDENT, BAZAR,
KURUPPAM ROAD, TRICHUR.

10. CHANDRAN, AGED 43 YEARS,
S/O KUNJAN NAIR, NANDINI NIVAS,
KADAKKURUSSI, KANNADI, PALAKKAD.

11. P.ARUNACHALAM, AGED NOT KNOWN,
S/O PAZHANI GOWNDER,
23 ANGAPPA MUTHALIYAR
COLONY, ANNOOR, COIBATORE-641653,
TAMIL NADU.

12. NEW INDIA ASSURANCE COMPANY LTD.,
184 COIBATORE MAIN ROAD,
ANOOR, COIMBATORE-641 653, TAMIL NADU.

13. L.SADASIVAN, AGED 36 YEARS,
S/O M.K.LAKSHMANAN, C/O S.A.SUNTHARAM,
AYYANARPURAM, II STREET, PUDUKKOTTAI,
TAMILNADU.

14. S.RAMU, AGED 48 YEARS,
S/O SMASUNDARAM, SOUTH MAIN STREET,
PUDUKKOTTAI, TAMILNADU.

15. NATIONAL INSURANCE COMPANY,
PUDUMOTTAI, TAMILNADU.

BY

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 07/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & V.GIRI,JJ.

M.A.C.A.NO.1358 of 2007 D

Dated this the 7th day of August, 2007.

JUDGMENT

KOSHY,J.

We are not satisfied that the appellant, an elder brother of the deceased aged 39 years, is a dependent of the deceased. It is submitted that the parents of the deceased are no more. The widow of the deceased has not filed any appeal so far and there is no evidence to show that the appellant is a dependent of the deceased. Hence, this appeal filed is dismissed.

Sd/-
(J.B.KOSHY)
JUDGE

Sd/-
(V.GIRI)
JUDGE

sk/

//true copy//

P.S. To Judge